

RESOLUTION NO. 24-75
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER J.V. Stouck ON THE
20th DAY OF March, 1995.

A RESOLUTION OF INTENT TO APPROPRIATE
CERTAIN REAL PROPERTY FOR RIGHT OF WAY
FOR THE CONSTRUCTION OF A PUBLIC ACCESS
STREET SOUTH OFF SPRING VALLEY ROAD
FROM BARBARA WEPRIN, TRUSTEE.

WHEREAS, the City of Centerville is engaged in the acquisition of right of way for the construction of a public access street south off Spring Valley Road for a distance of approximately 500 feet, and

WHEREAS, the acquisition of real estate is immediately necessary for the roadway construction in connection with said project, and

WHEREAS, the Council has determined that the lands hereinafter described are necessary for roadway construction in connection with such project so that there will be no delay for the immediate preservation of the public peace, health, safety and welfare.

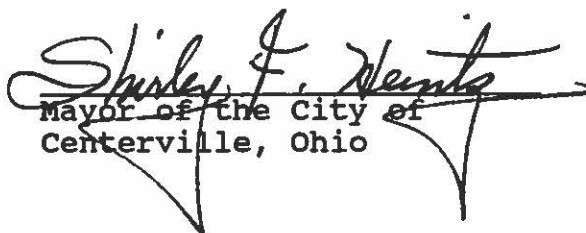
NOW, THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

SECTION 1. This Council hereby declares the necessity and intention to appropriate certain real property in accordance with Chapter 163 of the Ohio Revised Code.

SECTION 2. It is necessary and intention to appropriate certain roadway right of way from Barbara Weprin, Trustee, said real estate described herein: as more fully described in Exhibit "A" attached hereto and incorporated herein.

SECTION 3. That the City Manager or his designate is hereby authorized to cause written notice of the adoption of this Resolution to be given to the owners, persons in possession of, or having an interest of record in the above described premises, and said notice shall be served according to law by a person to be designated for that purpose by said City Manager or his designate and to make return of said service of notice in the manner provided by law.

PASSED this 20th day of March,
1995.


Mayor of the City of
Centerville, Ohio

ATTEST:


Clerk of the Council of the
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies that the foregoing is a true and correct copy of Resolution Number 24-95, passed by the Council of the City of Centerville, Ohio, on the 20th day of March, 1995.


Clerk of Council

Approved as to form, consistency
with the Charter and Constitutional Provisions.
Department of Law
Robert N. Farquhar
Municipal Attorney

**RIGHT OF WAY
for HIGHWAY PURPOSES**

"BEERMAN DRIVE IMPROVEMENT PROJECT"

Barbara Weprin, Trustee MF# 87-0171-B12

Situated in the City of Centerville, Montgomery County, State of Ohio, Section 29, Town 3, Range 5 Mrs, and being part of a 0.594 acre tract conveyed to Barbara Weprin, Trustee, as of record in MF # 87-0171-B12 of the Deed Records of Montgomery County, and being more particularly described as follows;

Beginning at a point in the north line of said Section 29, said point being South 83 degrees 57 minutes 03 seconds West, along said Section line , 466.80 feet from the intersection of Spring Valley Pike and Dayton Lebanon Pike (S.R. 48), said point also being the northeast corner of property conveyed to the City of Centerville of record in MF # 89-0321-E08, Deed Records of Montgomery County, Thence leaving said Section line, with the easterly line of said City of Centerville property, South 1 degree East, 34.37 feet to a point in the existing right of way of said Spring Valley Pike, and being the TRUE POINT OF BEGINNING, thence with the southerly right of way of said Spring Valley Pike, with a curve to the right having a radius of 2821.79 feet, said arc having a chord bearing of North 85 degrees 26 minutes 30 seconds East, and a chord distance of 18.15 feet, 18.15 feet to a point, thence North 85 degrees 37 minutes 33 seconds East, 38.42 feet to a point, thence, leaving said right of way, South 1 degree East, 10.00 feet to a point, thence, South 85 degrees 37 minutes 33 seconds West , 17.00 feet to a point, thence, South 1 degree East, 135.45 feet to a point in the northerly line of property conveyed to Centerville Properties, Inc. as of record in D.B. 2038, Page 206, Deed Records of Montgomery County, thence, with said Centerville Properties, Inc. line, South 89 degrees West, 39.50 feet, to a point in the easterly line of said City of Centerville property, thence with said easterly line , North 1 degree West, 143.06 feet to the point of beginning, containing 5868 square feet, (0.135 acres), more or less, and subject to all legal easements and restrictions of record.

Description prepared by Barge, Waggoner, Sumner and Cannon, Inc.
Barry K. Quinn, Ohio P.S. # 7596.